

AN ORDINANCE 2006-03-23-0385

**AUTHORIZING PAYMENT OF A JUDGMENT IN A LAWSUIT  
STYLED *CLAUDIO ESPARZA AND MINERVA ESPARZA V. CITY  
OF SAN ANTONIO*, CAUSE NOS. 2001-CI-12800 AND 04-04-  
00631-CV, 224TH JUDICIAL DISTRICT COURT OF BEXAR  
COUNTY, TX.**

\* \* \* \* \*

**WHEREAS**, Claudio Esparza and Minerva Esparza, brought suit against the City of San Antonio alleging personal injury resulting from a car accident; and

**WHEREAS**, the parties submitted this case to trial by Jury which ruled in favor of Plaintiffs; and

**WHEREAS**, the Fourth Court of Appeals reduced the award to \$203,748.71; and

**WHEREAS**, Plaintiffs are entitled to pre and post-judgment interest of 5% compounded annually from May 13, 2004 to present, totaling \$177,456.31 for Claudio Esparza and \$54,865.75 for Minerva Esparza through March 31, 2006, **NOW, THEREFORE**,

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** Payment of a judgment in the amount of \$232,322.06 is hereby authorized to be made in full and final settlement of the case styled *Claudio Esparza and Minerva Esparza v. City of San Antonio, et al.*, Cause Nos. 2001-CI-12800 and 04-04-00631-CV, in the 288<sup>th</sup> Judicial District Court of Bexar County, Texas.

**SECTION 2.** Payment in the amount of \$232,322.06 is hereby authorized from Fund 75-001000, Insurance Reserve Fund, GL 5402530, entitled General Liability Claims, Cost Center 1009020001, and made payable to Claudio Esparza, Jr., Minerva Esparza, and their attorneys. Payment shall be made to such persons and under such circumstances as may be directed by the City Attorney to effect the aforementioned settlement.

**SECTION 3.** The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director, may subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific Cost Centers and Fund Numbers as necessary to carry out the purpose of this Ordinance.

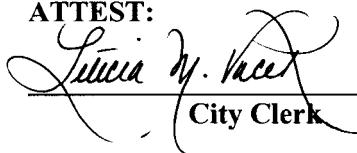
**SECTION 4.** This Ordinance shall be effective on the tenth day after passage.

**PASSED AND APPROVED on this 23<sup>rd</sup> day of March, 2006.**

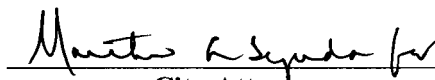
  
MAYOR

**PHIL HARDBERGER**

**ATTEST:**

  
\_\_\_\_\_  
City Clerk

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
City Attorney